

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

EFRAIN J. MUNIZ,

Plaintiff,

v.

9:04-CV-0479

GLENN S. GOORD, et al.,

Defendants.

THOMAS J. McAVOY
United States District Judge

DECISION and ORDER

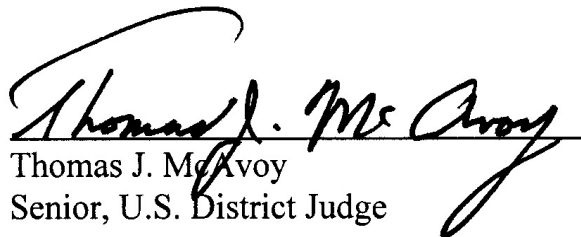
This matter brought pursuant to 42 U.S.C. § 1983 was referred to the Hon. George H. Lowe, United States Magistrate Judge, for a Report-Recommendation pursuant to 28 U.S.C. § 636(b) and Local Rule 72.3(c).

No objections to the May 2, 2007 Report-Recommendation have been raised. After examining the record, this Court has determined that the Report-Recommendation is not subject to attack for plain error or manifest injustice. Accordingly, this Court adopts the Report-Recommendation for the reasons stated therein. It is, therefore, Ordered that:

- (1) Defendants' motion for judgment on the pleadings is DENIED;
- (2) Plaintiff's claims under the Ninth Amendment is DISMISSED;
- (3) Plaintiff's claims under the Fourteenth Amendment are DISMISSED; and
- (4) The claims against Defendant Taylor are DISMISSED.

IT IS SO ORDERED.

Dated: July 11, 2007


Thomas J. McAvoy
Senior, U.S. District Judge